

*Handwritten initials and signature*

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)</b>		Docket Number (Optional)  SV16
First Named Inventor: Shih-Jong J. Lee Application Number: 10/081,441 Filed: February 22, 2002 Title: INFORMATION INTEGRATION METHOD FOR DECISION REGULATION IN HIERARCHIC DECISION SYSTEMS Attention: Office of Petitions <b>Mail Stop Petition</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
Art Unit: 2121 Examiner: Joseph P. Hirl		
<p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.</p> <p><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.</b> NOTE: A grantable petition requires the following items:</p> <ul style="list-style-type: none"><li>(1) Petition fee.</li><li>(2) Reply and/or issue fee.</li><li>(3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and</li><li>(4) Adequate showing of the cause of unavoidable delay.</li></ul> <p>1. Petition fee</p> <p><input checked="" type="checkbox"/> Small entity – fee \$ <u>250</u> (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Other than small entity – fee \$ _____ (37 CFR 1.17(l)).</p> <p>2. Reply and/or fee</p> <p>A The reply and/or fee to the above-noted Office action in the form of <u>Amendment A and a check of \$250</u> (identify the type of reply):</p> <p><input type="checkbox"/> has been filed previously on _____</p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p>B The issue fee of \$ _____</p> <p><input type="checkbox"/> has been filed previously on _____</p> <p><input type="checkbox"/> is enclosed herewith.</p>		

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FEB 23 2005  
**OFFICE OF PETITIONS**

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

**4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.****WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

*Shih-Jong J. Lee*  
\_\_\_\_\_  
Signature

February 15, 2005

Date

Shih-Jong J. Lee

Typed or printed name

Registration Number, if applicable

15418 SE 53rd Place

Address

425-450-1014

Telephone Number

Bellevue WA 98006

Address

**RECEIVED****FEB 23 2005****OFFICE OF PETITIONS**Enclosure ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unavoidable delay including Attachments 1, 2, 3, 4.☐**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

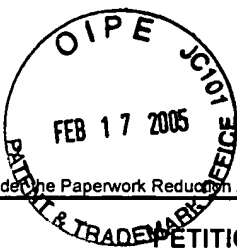
February 15, 2005

Date

*Shih-Jong J. Lee*  
\_\_\_\_\_  
Signature

Shih-Jong J. Lee

Typed or printed name of person signing certificate



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

*Shih-Jong J. Lee*

February 15, 2005

Signature

Date

Shih-Jong J. Lee

Typed or printed name

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)  
Sir:

This is a response to the Notice of Abandonment mailed February 11, 2005, a copy of which is attached to this correspondence (Attachment 1).

**I. Statement of Facts Involved**

On May 3, 2004 the patent office mailed a first office action for my patent application 10/081,441. On page 11 of the first office action (Attachment 2), examiner Hirl instructed that FAX is a valid means for response to the office action and the FAX number (703)746-7239 was provided for formal communications intended for entry.

On July 6, 2004 I FAXed a 19-page response (Amendment A) to the first office action to the USPTO FAX number (703)746-7239. Immediately after the FAX transmission, I received an Auto-Reply Facsimile Transmission from USPTO (Attachment 3) acknowledged that USPTO had received all 19 pages of the FAX that I sent. The Auto-Reply page included a print of the shrunk first page of my response. A copy of the entire Amendment A is attached to this petition (Attachment 4).

**II. Argument for unavoidability of abandonment of Patent Application**

Examiner Hirl instructed that FAX is a valid means for response to the office action. An office action response (Amendment A) was FAXed to USPTO within the allowed time period using the FAX number provided by the examiner Hirl. An Auto-Reply acknowledgement was received from USPTO immediately after the FAX transmission included a print of the shrunk first page of my response. The FAX appears to have reached the patent office in its entirety. However, this response must have not been received by the Examiner Hirl for an unknown reason. My first notice of this condition was the February 11, 2005 Notice of Abandonment. Therefore, no opportunity has been afforded to applicant to avoid abandonment.

**III. Action Requested**

Please revive the abandoned application and forward my Amendment A (in this petition it is Attachment 4) response to examiner Joseph P. Hirl.

Respectfully submitted,

*(Please attach additional sheets if additional space is needed.)*

Attachment 1

**Notice of Abandonment**

Application No.	Applicant(s)	
10/081,441	LEE, SHIH-JONG J.	
Examiner	Art Unit	
Joseph P. Hirl	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 30 April 2004.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Applicant does not have an attorney. Applicant was called at the last known phone number which was not in service. Information was contacted with a request for a phone number at the last known address. No phone number was available.

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Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

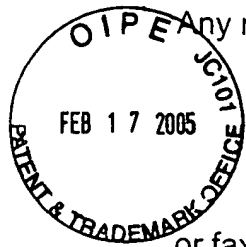
Attachment 2

Application/Control Number: 10/081,441

Art Unit: 2121

Page 11

Examiner's supervisor, Anthony Knight can be reached at (703) 308-3179.



Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,

Washington, D. C. 20231;

or faxed to:

(703) 746-7239 (for formal communications intended for entry);

or faxed to:

(703) 746-7290 (for informal or draft communications with notation of  
"Proposed" or "Draft" for the desk of the Examiner).

Hand-delivered responses should be brought to:

Receptionist, Crystal Park II

2121 Crystal Drive,

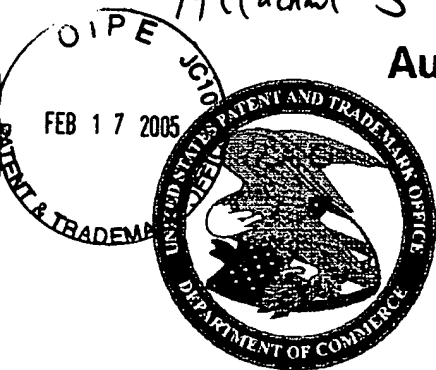
Arlington, Virginia.

Joseph P. Hirl

April 28, 2004

Attachment 3

# Auto-Reply Facsimile Transmission



TO:

Fax Sender at 425 452 0806

Fax Information

Date Received:

7/6/2004 12:37:24 PM [Eastern Daylight Time]

Total Pages:

19 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

=====>

Jul 06 04 09:34a

Louis Piloso

425 452-0806

p.1

Application No. 10/081,441

Amendment Date July 6, 2004; Reply to Office action of May 3, 2004

## PATENT APPLICATION

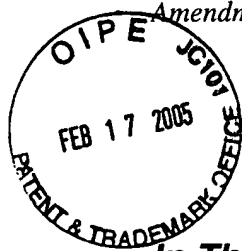
*In The United States Patent and Trademark Office*

Application Number:	10/081,441	Date: July 6, 2004
Application Filed:	02-22-2002	Art Unit: 2121
Applicants:	Shih-Jong J. Lee	Docket: SV16
Title:	INFORMATION INTEGRATION METHOD FOR DECISION REGULATION IN HIERARCHIC DECISION SYSTEMS	Applicant FAX: 425-452-0806 Applicant Phone: 425-450-1014 Customer Number: 29738
Examiner:	JOSEPH P. HIRI	CSO FAX 703-746-7239

Attachment 4

Application No. 10/081,441

Amendment Date July 6, 2004; Reply to Office action of May 3, 2004



**PATENT APPLICATION**

***In The United States Patent and Trademark Office***

Application Number:	10/081,441	Date: July 6, 2004
Application Filed:	02-22-2002	Art Unit: 2121
Applicants:	Shih-Jong J. Lee	Docket: SV16
Title:	INFORMATION INTEGRATION METHOD FOR DECISION REGULATION IN HIERARCHIC DECISION SYSTEMS	Applicant FAX: 425-452-0806 Applicant Phone: 425-450-1014 Customer Number: 29738
Examiner:	JOSEPH P HIRL	CSO FAX 703-746-7239

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